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PTO/SB/21 (08-00)

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## **TRANSMITTAL FORM**

(to be used for all correspondence after initial filing)

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Fee Transmittal Form

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**Extension of Time Request** 

Certified Copy of Priority

Response to Missing Parts/ Incomplete Application

Document(s)

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Date

Individual name

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**Express Abandonment Request** 

Information Disclosure Statement

Response to Missing Parts under 37 CFR 1.52 or 1.53

September 5, 2002

Affidavits/declaration(s)

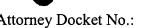
Fee Attached

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Application Number	09/838,781		
Filing Date	April 20, 2001		
First Named Inventor	Hank J. HUNDEMER		
Group Art Unit	Unassigned	oc.	J

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First Named Inventor Hank J. HUNDEMER  Group Art Unit Unassigned  Examiner Name Unassigned  First Named Inventor Hank J. HUNDEMER  Unassigned  Frages in This Submission 95 Attorney Docket Number 76539.0043  ENCLOSURES (check all that apply)						
claration(s) equest ent Request ure Statement ority g Parts/ on Missing Parts R 1.52 or 1.53	Drawing  Licensir  Petition  Petition  Provisio  Change Address  Termina  Reques	g-related Papers  to Convert to a nal Application of Attorney, Revocation of Correspondence al Disclaimer t for Refund	to Group Appeal Communication to Board of Appeals and Interferences Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) Proprietary Information  Status Letter Other Enclosure(s) (please identify below): 1) Information Diselosure Statement; 2) PTO-1449 Form (2 pages) 3) Copies of 5 reference Todocuments (89 pages)			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Floyd B. Chapman; Reg. No. 40,555						
David B. Walker; Reg. No. 43,976						

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:				
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**PATENT** 

Attorney Docket No.: 76539.0043



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Hank J. HUNDEMER

Appl. No.: 09/838,781

Filed: April 20, 2001

PROVISION OF DIGITAL DATA

VIA MULTIPLE BROADCASTS

Art Unit: Unassigned Examiner: Unassigned



Commissioner for Patents Washington DC 20231

## **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant submits copies of the references listed on the attached PTO 1449 Form for consideration and request that the U.S. Patent and Trademark Office make them of record in this application.

Applicants state the following:

	$\boxtimes$	Each item of information contained in this Information Disclosure Statement w	as
cited	in a	communication from a foreign patent office in a counterpart foreign application n	ıot
more	than	three months prior to the filing of the Information Disclosure Statement; or	

No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of Applicant(s) no item of information contained in this Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

PATENT Serial No. 09/838.781

Attorney Docket No.: 76539.0043

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action and/or within three months of the filing date of the application. It is respectfully submitted that no fee is required for consideration of this information. However, in the event any fee is deemed necessary, the Commissioner is authorized to charge the undersigned's Deposit Account No. 50-1129.

This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c), payment in the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is enclosed. The Commissioner is hereby authorized to charge any deficiency in the fees or charge any fee required to keep this application pending to our Deposit Account No. 50-1129.

While the information and references disclosed in this Information Disclosure Statement are submitted pursuant to 37 C.F.R. § 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to is "prior art" to this invention. Applicants reserve the right to contest the "prior art" status of any information submitted or asserted against the application.

PATENT Serial No. 09/838,781

Attorney Docket No.: 76539.0043

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. This Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed documents and information.

Dated: <u>Spt 5</u>, 2002

Respectfully submitted,

WILEY REIN & FIELDING LLP

By:

Floyd B. Chapman. Reg. No. 40,555 David B. Walker, P.E., Reg. No. 43,976

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